

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
January 9, 2011

Opening Ceremony: Moment of Silence
Closed Session: yes

Call to Order: Meeting was called to order at: 9:06 a.m.

Physical Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Belinda Bardwell, Councilor Aaron Otto, Councilor Rita Shananaquet, Councilor Gerald V. Chingwa

Absent: Councilor Marvin Mulholland, Councilor Melvin L. Kiogima

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Vice-Chairman Dexter McNamara, General Counsel James Bransky

Guests: Cathy Bradley, Linda Gasco, Fred Kiogima, Bill Denemy Sr., Alice Yellowbank, Bea Law, Isaac Dillard, Carol McFall, William McMillan, John Harrington

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to adopt the agenda for January 9, 2011 with changes.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor Kiogima)

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to approve the minutes of December 19, 2010 as presented.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor Kiogima)

Motion carried.

Elder Comments: no comments.

9:30 a.m. Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to go into closed session for personnel.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Mulholland, Councilor Kiogima)

1 Motion carried.

2
3 9:39 a.m. Councilor Kiogima arrived.

4
5 9:58 a.m. Motion made by Councilor R. Shananaquet and supported by
6 Councilor Bardwell to return to open session

7 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

8 Motion carried.

9
10 10:00 a.m. Motion made by Councilor Otto and supported by Councilor Chingwa
11 to go into closed session for legal.

12 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

13 Motion carried.

14
15 10:32 a.m. Motion made by Councilor R. Shananaquet and supported by
16 Councilor Bardwell to return to open session.

17 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

18 Motion carried.

19
20 10:33 a.m. Recess called.

21 10:44 a.m. Meeting reconvened.

22
23 10:45 a.m. Motion made by Councilor R. Shananaquet and supported by
24 Councilor Otto to go into closed session for legal.

25 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

26 Motion carried.

27
28 11:13 a.m. Motion made by Councilor R. Shananaquet and supported by
29 Councilor Otto to return to open session.

30 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

31 Motion carried.

32
33 Motion made by Councilor Bardwell and supported by Councilor R. Shananaquet
34 to accept the Legislative Leader J. Shananaquet's verbal report for January 9,
35 2011.

36 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

37 Motion carried.

38
39 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell
40 to table the requirements of Section I. of the Nomination for Judges, Justices and
41 Prosecutors Policy and Procedures until such time that Tribal Council has an
42 opportunity to interview the nominee for Chief Judge and has set the date for the
43 interview of Nominee Bernadece Kiogima for January 22, 2011.

44 Vote: 1 – Yes , 6 – No Councilor Otto, Secretary Gasco Bentley, Treasurer Bott,
45 Legislative Leader J. Shananaquet, Councilor Chingwa, Councilor Bardwell), 1 –
46 Abstained (Councilor Kiogima), 1 – Absent (Councilor Mulholland)

47 Motion failed.

1 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell
2 to accept Secretary Gasco Bentley's verbal report for January 9, 2011.

3 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

4 Motion carried.

5
6 11:44 a.m. Public Comment opened: Bea Law spoke regarding constitutional
7 question with the Gaming Delegation and Authority Statute and The Elections
8 and Election Board Statute. Cathy Bradley expressed her discouragement
9 regarding the process of the implementation and notification of the Gaming
10 Authority and Delegation Statute. Carol McFall mentioned the Gaming Board of
11 Directors was not notified. Bea Law also expressed opinion regarding the
12 process of notification regarding the Gaming Board of Directors. Fred Kiogima
13 spoke regarding the Gaming Board of Directors and all Tribal staff removal. Isaac
14 Dillard spoke regarding prejudice at the casino.

15 11:57 a.m. Public comment closed.

16
17 12:13 p.m. Lunch recess called.

18 1:32 p.m. Meeting reconvened.

19
20 Motion made by Councilor R. Shananaquet and supported by Legislative Leader
21 J. Shananaquet to accept Treasurer Bott's Treasurer and Appropriations and
22 Finance Committee verbal and written report for January 9, 2011.

23 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

24 Motion carried.

25
26 Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa
27 to approve Rehmann Groups the auditor for the Tribal Government, beginning
28 January 01, 2010 through December 31, 2010 and authorizes the Tribal Chair to
29 sign all engagement agreements for such audits.

30 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

31 Motion carried.

32
33 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell
34 to post to the Legislative Calendar Amendment to Waganakising Odawak Statute
35 2005-010 Legislative Procedures Statute.

36 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

37 Motion carried.

38
39 Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa
40 to adopt Tribal Resolution: United States Department of the Interior Bureau of
41 Indian Affairs Authorization for P.L. 93-638 Contract.

42 Roll Call vote: Councilor Bardwell – yes, Councilor Chingwa-yes, Councilor
43 Kiogima-yes, Councilor Mulholland-absent, Councilor R. Shananaquet-yes,
44 Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative
45 Leader Julie Shananaquet-yes

46 Motion carried.

47
48 Verbal update: Land and Reservation Committee Chairperson Kiogima update.

1
2 Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to
3 accept the Legal and Legislative Committee update as presented by Committee
4 Chairperson Chingwa.

5 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

6 Motion carried.

7
8 Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to
9 approve the Legal and Legislative Committee Strategic Plan.

10 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

11 Motion carried.

12
13 Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa
14 to rescind the Cellular Equipment and Service Plan.

15 Vote: 6 - Yes, 2 – No Councilor Bardwell, Councilor Otto), 0 - Abstained, 1 –
16 Absent (Councilor Mulholland)

17 Motion carried.

18
19 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell
20 to accept the Gaming Authority Committee verbal report as presented by Gaming
21 Authority Committee Chairperson Chingwa.

22 Vote: 7 - Yes, - No, 1 – Abstained (Treasurer Bott), 1 – Absent (Councilor
23 Mulholland)

24 Motion carried.

25
26 3:03 p.m. Public Comment opened: no comments.

27 3:04 p.m. Public Comment closed.

28
29 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell
30 to adopt Tribal Resolution: Authorization of Odawa Casino Resort Check Signing
31 Authority.

32 Roll Call vote: Councilor Bardwell – yes, Councilor Chingwa-yes, Councilor
33 Kiogima-yes, Councilor Mulholland-absent, Councilor R. Shananaquet-yes,
34 Councilor Otto-yes, Treasurer Bott-abstained, Secretary Gasco Bentley-no,
35 Legislative Leader J. Shananaquet-yes

36 Motion carried.

37
38 3:08 p.m. Recess called.

39 3:18 p.m. Meeting reconvened.

40
41 Motion made by Treasurer Bott and supported by Councilor Bardwell to accept
42 Legislative Services Attorney Budnick's verbal report for January 9, 2011.

43 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

44 Motion carried.

45
46 Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa
47 to approve: Request for Funding from Prevention Network Foundation Little
48 Traverse Bay Bands of Odawa Indians Youth Leadership Project.

1 Vote: 7 - Yes, 1 – No (Councilor R. Shananaquet), 0 - Abstained, 1 – Absent
2 (Councilor Mulholland)
3 Motion carried.

4
5 Motion made by Secretary Gasco Bentley and supported by Councilor Otto to
6 approve: Request for Continuation Funding from the Substance Abuse and
7 Mental Health Services Administration, Center for Substance Abuse Prevention
8 Little Traverse Bay Bands of Odawa Indians, Strategic Prevention Framework
9 State/Tribal Incentive Grant Program SPRING Project.

10 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)
11 Motion carried.

12
13 Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa
14 Request for Funding from the Institute of Museum and Library Services, Little
15 Traverse Bay Bands of Odawa Indians 2011 Basic Library Services Grant.

16 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)
17 Motion carried.

18
19 Motion made by Secretary Gasco Bentley and supported by Legislative Leader
20 Julie Shananaquet approve Enrollment List A - Eligible for Citizenship dated
21 December 29, 2011 for a total of 6.

22 Vote: 7 - Yes, 1 – No (Councilor Chingwa), 0 - Abstained, 1 – Absent (Councilor
23 Mulholland)
24 Motion carried.

25
26 Motion made by Secretary Gasco Bentley and supported by Legislative Leader
27 Julie Shananaquet to acknowledge the receipt of Enrollment List -B Voluntary
28 Relinquishment dated January 5, 2011 for a total of 1.

29 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)
30 Motion carried.

31
32 Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa
33 to override Executive vetoed Tribal Resolution 120510-01 Establishment of the
34 “Legislative/Executive Team’ for Bay Mills/Vanderbilt Casino Matters.

35 Vote: 5 - Yes, 3 – No (Councilor Otto, Councilor R. Shananaquet, Councilor
36 Kiogima), 0 - Abstained, 1 – Absent (Councilor Mulholland)
37 Motion failed based on the need of an affirmative vote of 7 to override a veto.

38
39 Motion made by Councilor Bardwell and supported by Treasurer Bott to pass
40 Waganakising Odawak Statute Political Solicitation Prohibition Statute.

41 Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor
42 Kiogima-yes, Councilor Mulholland – absent, Councilor R. Shananaquet-no,
43 Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative
44 Leader Julie Shananaquet-yes

45 Motion carried.

46
47 Motion made by Councilor Chingwa and supported by Councilor R. Shananaquet
48 to pass Waganakising Odawak Statute Medical Marijuana Patient Protection.

1 Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor
2 Kiogima-yes, Councilor Mulholland – absent, Councilor R. Shananaquet-yes,
3 Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative
4 Leader Julie Shananaquet-yes

5 Motion carried.

6
7 Motion made by Secretary Gasco Bentley and supported by Councilor R.
8 Shananaquet to pass Waganakising Odawak Statute Financial Disclosure by
9 Tribal Officials.

10 Motion Withdrawn

11
12 Motion made by Councilor R. Shananaquet and supported by Secretary Gasco
13 Bentley to remove the Reemployment Rights and Discrimination Rights of
14 Elected or Appointed Officials draft Statute from the Legislative Calendar.

15 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

16 Motion carried.

17
18 Motion made by Councilor R. Shananaquet and supported by Secretary Gasco
19 Bentley to post to the Legislative Calendar Shirley Oldman Naganashe Oldman
20 Merit Scholarship Draft Statute.

21 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

22 Motion carried.

23
24 4:28 p.m. Motion made by Councilor R. Shananaquet and supported by
25 Secretary Gasco Bentley to adjourn.

26 Vote: 7 - Yes, 1 – No (Councilor Otto), 0 - Abstained, 1 – Absent (Councilor
27 Mulholland)

28 Motion carried.

29
30 These Minutes have been read and approved as written (or) corrected: (delete
31 either the word “written” or “corrected” as pertains to how the minutes were
32 approved.)

33
34
35
36 _____
Regina Gasco Bentley, Tribal Council Secretary

Date